In the High Court for the States of Punjab and Haryana, at Chandigarh.

R.S.A.No.333 of 2007 (O&M)
Decided on February 01,2007

Jasbir Kaur ---Appellant

vs.

Des Raj and another ---- Respondents.

Present: Mr. Ashok Giri, Advocate,for the appellant.

Pritam Pal,J:(Oral)

This appeal by defendant/appellant,(hereinafter referred to as the 'defendant'), is directed against the judgments and decrees dated May 23, 2005, passed by Civil Judge (Junior Division), and December 18,2006, by learned Additional District Judge, Jalandhar,whereby, the suit of the respondents/plaintiffs (hereinafter referred to as 'the plaintiffs'), for permanent injunction as well as mandatory injunction, was decreed partly in the following terms:

> " It is ordered that suit of the plaintiff is decreed for permanent injunction restraining the defendants, their employees etc. from making any type of construction in the public street towards the northern side of the house of the plaintiff which obstructs or closes the water outlets of his house and Mandatory Injunction directing the defendants to demolish the wall constructed by them which blocks windows,doors or

ventilators of the house of the plaintiffs which open in the said public street. The relief of Mandatory Injunction is restricted to demolition of only that construction which obstructs the water outlets,doors , windows ,ventilators of the house of the plaintiff on the northern side of the house of the plaintiff"

Thereafter, the appeal filed by the defendant was also dismissed by affirming the findings arrived at on all the issues by the learned trial Court.

A perusal of the impugned judgments and decrees passed by the Courts below goes a long way to show that there is no perversity or any illegality in the concurrent findings. Besides that during the course of arguments, learned counsel for the defendant also could not make out any substantial question of law involved in this appeal for consideration by this Court. Hence, this Regular Second Appeal is hereby dismissed in *limine.*

February 01,2007 (Pritam Pal)
RR Judge